

TO PLAINTIFF'S ATTORNEY: PLEASE CIRCLE TYPE OF ACTION INVOLVED: —
TORT — MOTOR VEHICLE TORT — CONTRACT —
EQUITABLE RELIEF — OTHER

COMMONWEALTH OF MASSACHUSETTS

SUPERIOR COURT
DEPARTMENT
OF THE
TRIAL COURT
CIVIL ACTION

MIDDLESEX, ss
[seal]

2004 SEP -3 P 3:18

U.S. DISTRICT COURT
DISTRICT OF MASS

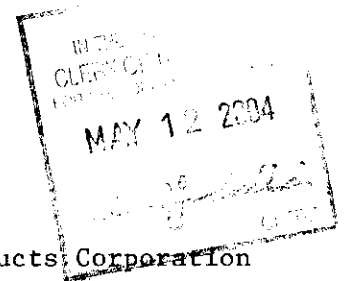
No. 04-909

MARY ANDRUS, ET AL., Plaintiff(s)

v.

INDEVUS PHARMACEUTICALS, INC., F/K/A INTERNEURON PHARMACEUTICALS,
INC., ET AL., Defendant(s)

SUMMONS



To the above-named Defendant: Wyeth, Inc., F/K/A American Home Products Corporation

You are hereby summoned and required to serve upon Edward J. Barshak, Esquire, Sugarman, Rogers, Barshak & Cohen, P.C., plaintiff's attorney, whose address is 101 Merrimac Street, Boston, MA 02114-4737, an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You are also required to file your answer to the complaint in the office of the Clerk of this court at Cambridge either before service upon plaintiff's attorney or within a reasonable time thereafter.

Unless otherwise provided by Rule 13(a), your answer must state as a counterclaim any claim which you may have against the plaintiff which arises out of the transaction or occurrence that is the subject matter of the plaintiff's claim or you will thereafter be barred from making such claim in any other action.

Witness, Suzanne V. DelVecchio, Esquire, at Cambridge
the 7th day of May
2004, in the year of our Lord

Edward J. Sullivan
Clerk

NOTES.

1. This summons is issued pursuant to Rule 4 of the Massachusetts Rules of Civil Procedure.
2. When more than one defendant is involved, the names of all such defendants should appear in the caption. If a separate summons is used for each defendant, each should be addressed to the particular defendant.

PROOF OF SERVICE OF PROCESS

I hereby certify and return that on May 7, 2004
20....., I served a copy of the within summons, together with a copy of the complaint in this action,
upon the within-named defendant, in the following manner (See Mass. R. Civ. P. 4 (d) (1-5)):
also served first amended complaint, civil action cover sheet and tracking
order: Served at Corporation Service Company, 84 State St., 5th fl, Boston, MA.
Served in hand to Bernardo Montanez, process clerk for Corporation Service
Company and agent authorized to accept service on behalf of
Wyeth, Inc., F/K/A American Home Products Corporation.

MB Fixman
Dated: May 7, 2004 Michael B. Fixman, Constable
Court Appointed Special Process Server

N.B. TO PROCESS SERVER:

PLEASE PLACE DATE YOU MAKE SERVICE ON DEFENDANT IN THIS BOX
ON THE ORIGINAL AND ON COPY SERVED ON DEFENDANT.

(_____)
(May 7, 2004 _____)
(_____)

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX ss.
SUPERIOR COURT
DEPARTMENT
OF THE
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CIVIL ACTION
No.

....., Plff.

v.

....., Deft.

SUMMONS
(Mass. R. Civ. P. 4)